

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GEORGE K. PRAGOVICH

Plaintiff,

V.

INTERNAL REVENUE SERVICE, AGENT
#36-09437 JOSEPH CONROY AND
GROUP MANAGER #43-15016 SAM
ANDERSON,

Defendants.

Case No. MC08-5010RBL/JKA

ORDER TO RESPOND

This motion to quash third party subpoenas has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). The action was originally filed in this court on May 5, 2008, (Dkt. # 1). The case was referred to this Magistrate Judge on May 20, 2008, (Dkt. # 5). On June 16, 2008, the defendants appeared (Dkt # 6). No response to the motion to quash subpoenas has been filed.

The government bears the initial burden of proving the subpoenas are issued for a valid purpose. Kondik v U.S., 81 F3d. 655 (6th Cir. 1996). A response is mandated to make this showing. Further, under Local Rule 7, failure to respond to a motion may be deemed as an admission the motion has merit.

The defendants will have until **July 11, 2008** to file a response. Any reply plaintiff wishes to file must be filed on or before **July 18, 2008**. This matter will be placed before the court on the **July 18, 2008**,

court calendar. Given the amount of time that has passed since the filing of the motion the court will be disinclined to grant continuances of time in this matter.

The Clerk is directed to send a copy of this Order to plaintiff and counsel for defendants and note the date of **July 18, 2008**, on the court's calendar.

DATED this 3 day of July, 2008.

/S/ J. Kelley Arnold
J. Kelley Arnold
United States Magistrate Judge